

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ZEBBY SULECKI, INC.,  
Plaintiff,

vs.

LSOP 3 PA I, LLC AND NEWREZ, LLC,  
Defendants.

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No. 23-cv-4756-JMY

**ORDER**

AND NOW, this 1st day of April, 2024, upon consideration of the *Motion to Dismiss for Failure to State a Claim* (ECF No. 7) filed by Newrez, LLC, all papers filed in support thereof and in opposition thereto, and for the reasons set forth in the Memorandum filed by the Court, it is hereby **ORDERED** that said Motion is **GRANTED** without prejudice to the ability of Plaintiff to file an amended complaint within twenty (20) days of the date that this Order is entered on the docket.<sup>1</sup>

BY THE COURT:

/s/ John Milton Younge  
Judge John Milton Younge

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<sup>1</sup> As explained in a separate Memorandum written by the Court and filed along with this Order, any potential amended complaint that Plaintiff files will need to set forth specific allegations to establish that: Plaintiff subcontractor directly communicated with the Tenant; that the Defendant Tenant specifically identified the Plaintiff as the subcontractor it wanted to perform services; or that the Defendant Tenant mislead it into performing services.